

**AMENDMENTS TO THE DRAWINGS:**

The attached sheet of drawings contains a change to Fig. 9. This sheet, which includes Figs. 9 and 10, replaces the original sheet including Figs. 9 and 10. In Fig. 9, a "SOURCE VOLTAGE" has been added as an input to block 111.

**Attachments:** Replacement Sheet

## **REMARKS**

In the Office Action<sup>1</sup>, the Examiner objected to the drawings; rejected claims 1-4, and 9-15 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,647,502 of Ohmori; rejected claim 5 under Sect. 103(a) as unpatentable over Ohmori in view of U.S. Patent No. 6,335,870 of Sakurai; and rejected claims 6 and 7 under Sect. 103(a) as unpatentable over Ohmori in view of U.S. Patent Application Publication No. US2003/0184271 of Aisaka et al. The Examiner also objected to claim 8, but indicated the claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this Amendment, Applicants have canceled claims 5, 7, 13, and 15. Applicants have also amended claims 1, 8, and 14, and added new claim 16. As a result, upon entry of this Amendment, claims 1-4, 6, 8-12, 14, and 16 will remain pending.

In response to the Examiner's objection to the drawings, Applicants submit herewith a corrected drawing sheet containing Fig. 9 to which Applicants have added an indication of a "SOURCE VOLTAGE" being applied to block 111. Applicants submit that this overcomes the Examiner's grounds for objecting to Fig. 9 and request that the Examiner therefore withdraw his objection.

Applicants thank the Examiner for the indication of allowable subject matter in claim 8. Applicants have rewritten claim 8 in independent form including all of the limitations of claims 1 and 7, from which claim 8 depended. Applicants have

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<sup>1</sup> The Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

additionally made minor changes to the claim language to improve form. Claim 8 should therefore be in condition for allowance.

Applicants respectfully traverse the Examiner's rejection of claims 1-4 and 9-15 under Sect. 102(e) as being anticipated by Ohmori. In order to properly establish that Ohmori anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920, (Fed. Cir. 1989). Regarding the 35 U.S.C. § 102(e) rejection, Ohmori does not disclose each and every element of Applicant's present invention as claimed.

Applicants first note that due to the cancellation of claims 13 and 15, the rejection has been rendered moot with respect to those claims. Applicants have amended independent claims 1 and 14 to include the limitations of claim 5. Claim 5 contains subject matter that the Examiner admits is not disclosed in Ohmori. (Office Action at page 10) Therefore, Ohmori does not disclose each and every element of either of independent claims 1 and 14 and cannot anticipate either of those claims or claims 2-4 and 9-12 that depend from those claims. Applicants therefore request withdrawal of the rejection based on 102(e) based on Ohmori.

Applicants respectfully traverse the Examiner's rejection of claim 5 under Sect. 103(a) as unpatentable over Ohmori and Sakurai. The rejection has been rendered moot by Applicants' cancellation of claim 5.

Further, independent claims 1 and 14, which have been amended to include the limitations of canceled claim 5, are patentable over Ohmori and Sakurai. In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or suggest all the claim elements. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Third, there must be a reasonable expectation of success. See M.P.E.P. § 2143.

As explained by the Examiner at page 10 of the Office Action, Ohmori “does not disclose about an execution priority storage storing execution order of the execution units.” However, the Examiner applies Sakurai for its alleged disclosure of “how a parameter storage unit can be utilized to allow the setting of the order of priority in the execution of the application program.” (Office Action at page 10) Sakurai appears to disclose an inverter apparatus including “a parameter storage unit to allow the setting of the order of priority in the execution of the inverter-controlling application program.” (2:30-33) Sakurai discloses in Fig. 3, “execution priority order data for designating the order of priority in the execution of the controlling AP S/W.” (4:6-8). Additionally, in the flow chart shown in Fig. 6, Sakurai includes steps S31 in which “the controlling AP S/W having the highest execution priority is executed.” (6:59-60) Sakurai fails to overcome the deficiencies of Ohmori and does not disclose the features of claim 5 that have been incorporated by amendment into claims 1 and 14. For example, with respect to claim 1, Sakurai fails to disclose Applicants’ claimed processor comprising a combination wherein “the clock frequency determining part selects one or more of the execution

units in order of the lower priority, and determines the new clock frequency of the clock signals by using the amounts of the data associated with the execution unit selected by the clock frequency determining part.” Independent claim 14 includes similar recitations. Nowhere does either Ohmori or Sakurai disclose or suggest any selection of one or more execution units “in order of the lower priority.” Ohmori does not appear to discuss any selection based on priority. Sakurai, in step S31, discloses selection based on “highest execution priority.” (5:59-60).

Since neither Ohmori nor Sakurai disclose or suggest each and every element of either of independent claims 1 and 14, those claims and the claims that depend therefrom are patentable.

Applicants respectfully traverse the Examiner’s rejection of claims 6 and 7 under Sect. 103(a) as unpatentable over Ohmori in view of Aisaka et al. The rejection of claim 7 has been rendered moot by the cancellation of that claim. Claim 6 depends from claim 1 and therefore incorporates the limitations of claim 1. Aisaka et al. does not overcome the above described deficiencies of Ohmori and Sakurai. Aisaka et al. discloses an electronic circuit of low power consumption and a power consumption reducing method. (Abstract) However, Aisaka et al. does not appear to include any disclosure relating to selecting execution units based on priority. Therefore, claim 1 is patentable over Ohmori and Aisaka et al. and claim 6 is also patentable at least due to its dependence from claim 1.

New independent claim 16 recites a clock frequency determining method that generally corresponds to allowable amended independent claim 8. Applicants therefore submit that new claim 16 should be in condition for allowance.

In view of above amendments and remarks, Applicants submit that pending claims 1-4, 6, 8-12, 14, and 16 are in condition for allowance. A favorable action is requested.

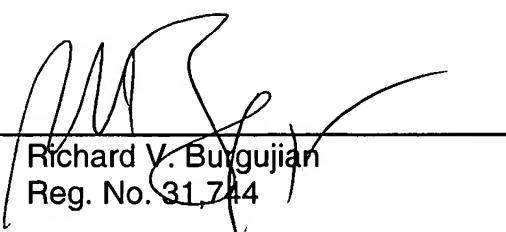
Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: December 18, 2006

By:

  
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**Attachments: Replacement Drawing Sheet  
Replacement Abstract**